

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SCOTT ALLEN DALE STONE-  
YATES,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

NO: 13-CV-5103-TOR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 19). The parties have agreed that this case should be remanded for further administrative proceedings, including further development of the record, a new hearing, and a new decision, pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Administrative Law Judge (ALJ) will: (1) give further consideration to the claimant's impairments and the impact, if any, obesity has on his ability to perform work activities; (2) re-evaluate the claimant's credibility, pursuant to SSR 96-7p; (3) re-evaluate the lay witness testimony and, if the ALJ

1 decides to reject it, provide germane reasons for doing so; (4) give further  
2 consideration to the medical and non-medical opinions of record and seek further  
3 clarification from a medical expert; (5) re-evaluate the claimant's residual  
4 functional capacity, with particular consideration given to the claimant's social  
5 limitations; (6) determine whether the claimant can perform any of his past  
6 relevant work, if he does, indeed, have past relevant work; and (7), if necessary,  
7 and with the assistance of a vocational expert, further consider whether the  
8 claimant can adjust to any other work existing in significant numbers in the  
9 national economy.

10 Plaintiff may present new arguments and evidence. The ALJ may perform  
11 further development and conduct further proceedings, as necessary.

12 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. §  
13 405(g). Upon proper presentation, this Court will consider Plaintiff's application  
14 for costs, expenses, and reasonable attorney's fees under the Equal Access to  
15 Justice Act, 28 U.S.C. § 2412(a),(d).

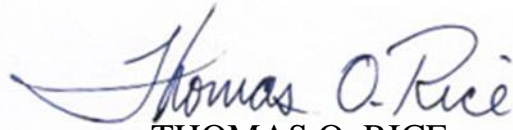
16 **IT IS HEREBY ORDERED:**

17 The Parties' Stipulated Motion for Remand (ECF No. 19) is **GRANTED**.  
18 This case is **REVERSED** and **REMANDED** pursuant to sentence four of 42  
19 U.S.C. § 405(g) for further administrative proceedings.

1 The District Court Executive is hereby directed to file this Order, provide  
2 copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

3 **DATED** May 8, 2014.



  
THOMAS O. RICE  
United States District Judge